

## REMARKS

Reconsideration of the subject application as amended herein is requested.

It is respectfully submitted that this amendment does not necessitate a new search and accordingly it is respectfully requested that these changes be entered.

Claims 1-11 and 20-21 stand rejected as being obvious over the applicants' admitted prior art in view of Chung et al. (U.S. Pat. No. 6,442,124). Claim 12 stands rejected as obvious over the applicants' admitted prior art in view of Chung et al. further considered with Ito et al. (U.S. Pat. No. 6,643,303). Claims 13-21 are cancelled.

The Applicants respectfully traverses these rejections regarding claims 1-12.

Briefly, as defined in amended claims 1 and 10, the present application pertains to a packaged optical pick-up apparatus for detecting signals of an optical disc, and more particularly to an optical pick-up apparatus using a holographic optical element in which a three-wavelength light emitting element and a holographic optical element are used, thereby miniaturizing and slimming the apparatus, reducing the manufacturing cost of the apparatus, and additionally reducing assembly and manufacturing cost by way of external adjustment of the light receiving element. Importantly, as shown in figure 4, an embodiment includes a package with two openings, a light emitting element disposed in the package, a holographic element disposed at one of the opening and a light sensor disposed at the other openings.

None of the cited prior art discloses such a combination of elements. Chung et al. teaches three separate light emitting elements (Chung et al. fig. 1, elements 25, 35, and 45) from three different directions for generating three beams with three different wavelengths (Chung et al. fig. 1, elements 20, 30, and 40). Chung et al. does not disclose a package with a light source disposed therein, and two openings, as described above.

Kyong et. al. (fig. 4, element 22) discloses an apparatus emitting light toward a multiplexed holographic element (fig. 4, element 24). In the prior art described by the Applicant,

a much more complex holographic element must be used that can accept the beams from several directions. In addition, Chung et al. does not teach to a packaged module with a single lightsource and openings for both the exteriorly positioned holographic optical element nor the exteriorly positioned and movable light receiving element. As the Examiner stated, the Chung et al. prior art reference does not address external placement of a light receiving element. Kyong et al. teaches to positioning the light receiving element so that it can be adjusted from the outside. (Kyong et al. paragraph 0119). Hence the present invention involves a packaged module with only one lightsource module, as opposed to three, use of a multiplexed holographic element, as opposed to a complex beam splitter arrangement, and the exteriorly positioned aforementioned items.

The Ito et al. reference teaches to “a photodiode 2 is disposed outside the above described cabinet 101 as a separate part” (Ito et al. col. 11 ln. 21-22). Ito et al. does not teach to attaching the light receiving element to the cabinet, nor does it teach to a discrete opening in the packaging for the light receiving element. Although Ito teaches to the photodiode disposed outside the cabinet, it does not teach to independently moving the photodiode relative to the other elements. In addition, such movement is not discussed in either the specification or claims of Ito et al. In contrast, Kyong et al. teaches to independent movement of the light receiving element. Kyong et al. also teaches to attaching the light receiving unit to the package (Kyong et al. fig. 4 elements 26 and 28). Kyong et al. also teaches to an opening in the package particularly for the light receiving element for receiving light from a multiplexed holographic element. The Kyong et al. teachings would not be obvious to a person of ordinary skill in the art in that the adjustments for any irregularities would be a consequence of both the light emitting element and the multiplexed holographic element and their positioning. Independent claims 1 and 10 have been amended to include aspects of the aforementioned openings and the elements positioned relative to the openings. Thus the secondary references

do not make up for the deficiencies of Chung et al. and accordingly it is respectfully submitted that these references do not obviate the claims.

It is respectfully submitted that the subject application is now in condition for allowance.

Respectfully submitted,

**GOTTLIEB, RACKMAN & REISMAN**



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Tiberiu Weisz  
Reg. No. 29,876  
Attorney for Applicant  
270 Madison Avenue, 8<sup>th</sup> Floor  
New York, NY 10016  
(212) 684-3900

Dated: 13 March, 2007

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